

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-990**

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March 15, 2022

The Honorable Lourdes A. Leon Guerrero  
I Maga'hågan Guåhan | Governor of Guam  
Ricardo J. Bordallo Governor's Complex  
Hagåtña, Guam 96910

Dear Maga'håga Lou Leon Guerrero,

In December 2020, the Guam Congressional Team realized a significant achievement in the US Capitol by resecuring Medicaid for our nation's Compact of Free Association (COFA) migrants. It has been brought to my attention, however, that since the enactment of this critical legislation, enrollment numbers for COFA citizens in Guam remain shockingly low. I write to express our disappointment in your administration's failure to date to capitalize on the opportunity we provided over a year ago, and strongly urge you to remedy this inaction with a clear understanding that the issue at hand is a serious determinant of life and death.

The United States maintains a long history with COFA nations enhanced by the provision of basic programs like Medicaid and the Supplemental Nutrition Assistance Program (SNAP). As a host community with millennia of shared culture, traditions, and experiences, Guam's particular relationship with citizens from the Republic of the Marshall Islands (RMI), Federated States of Micronesia (FSM), and Republic of Palau (Palau) is rooted in an even richer history that necessitates continued advocacy for meaningful access to health and food security resources. It is in this spirit of brotherhood, inclusion, and equity that our team recognizes the importance of ensuring our continued work in Congress stands to effectively serve *all of Guam's people* – our Marshallese, Pohnpeian, Kosraean, Chuukese, Yapese, and Palauan residents included – and that local programs are effectively implemented to see these efforts materialized.

Following bureaucratic oversight in 1996, COFA citizens were mistakenly stripped of their rights to these essential programs. During the 116<sup>th</sup> Congress, however, we addressed this longstanding issue by cosponsoring H.R. 4821, the "*Covering our FAS Allies Act*," and securing its enactment as a clause in the "*Consolidated Appropriations Act of 2021*." Effective December 27<sup>th</sup>, 2020 and upon the approval of our State Plan Amendment (SPA), Medicaid benefits were finally restored for our COFA brothers and sisters. Despite our success in reinstating a means for them to obtain vital healthcare services, it is disconcerting to find that COFA Medicaid enrollment remains unreasonably low. As of 2018, nearly 19,000 COFA migrants were accounted for as residents of Guam. Yet in 2020 there were only 6 enrollees, in 2021 there were only 488, and as of this year there are only 1,311. This means that **approximately 17,000 citizens do not have meaningful access to life-saving healthcare.** This is an inexcusable problem that must be addressed now.

The ongoing COVID-19 pandemic has had detrimental effects on our community, and its severity underscores the critical need to deliver greater healthcare access to all on our island. Hundreds of cases continue to be reported daily. Existing Department of Administration (DOA) figures further demonstrate that Marshallese residents have experienced COVID-19 deaths and hospitalizations at

disproportionately high levels – a finding so significant it has prompted a special CDC inquiry<sup>1</sup>. Moreover, as we approach what will now be two years of facing COVID-19, it is both plain that its prevalence in our communities will not be subsiding in the near future and pressing that comprehensive health management measures are established by your office. The Government of Guam's failure to enroll eligible migrants puts *all* our people at risk, but most especially our residents from the RMI, FSM, and Palau, their children, and their families.

It is truly a travesty that the pandemic has inordinately impacted the lives of those in Guam from our neighboring island communities, and even more so that the federal provisions we have secured in Congress are once again failing to make their way directly to the People of Guam. It is therefore imperative that you use your emergency powers correctly by gathering government employee support to **bolster Medicaid processing efforts** and that you utilize federal pandemic funds appropriately to **reach out to these communities** and **get them the Medicaid support they need**.

Thank you for your attention to this urgent matter. We look forward to your prompt response and swift action.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael F. Q. San Nicolas".

Michael F. Q. San Nicolas

Member of Congress

Guam

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<sup>1</sup> [https://www.cdc.gov/pcd/issues/2021/20\\_0407.htm](https://www.cdc.gov/pcd/issues/2021/20_0407.htm)